

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-107
)	(PHILLIPS/ GUYTON)
RALPH T. O'NEAL,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is now before the Court to address numerous *pro se* motions that have been filed by the Defendant.

On April 23, 2009, the parties came before the Court to address a motion to withdraw that had been filed by the Defendant's attorney. At that time, the Court granted the Defendant's request to represent himself in this matter. [Doc. 119]. Since this hearing, the Defendant has filed numerous untimely motions with the Court. The motion deadline in this case was originally August 4, 2008. [Doc. 9]. This deadline was later extended to October 10, 2008, [Doc. 60], and it was finally extended to February 18, 2009, [Doc. 102]. The motion deadline in this case has not been extended beyond February 18, 2009.

Pursuant to Rule 12 of the Federal Rules of Criminal Procedure, this Court may set a deadline for the parties to make pretrial motions, and it is within the Court's discretion to extend this deadline and grant relief from the waiver that normally attaches to motions not filed within this

deadline, where good cause has been shown. Fed. R. Crim. P. 12(c), (e). The Defendant has not shown good cause as to why the motion deadline, which was previously extended by over six months, should again be extended. Therefore, the Court finds that all motions filed beyond the February 18, 2009, motion deadline are untimely.

Accordingly, the Court finds that the *Pro Se* Motion for Return of Seized Property [Doc. 140], *Pro Se* Motion to Strike Surplusage [Doc. 148], *Pro Se* Motion to Correct Minute Entry for August 21, 2008, [Doc. 150], *Pro Se* Motion for Deposition Hearing [Doc. 152], *Pro Se* Motion to Remove Protective Order [Doc. 155], *Pro Se* Motion to Return Property [Doc. 156], *Pro Se* Motion for Private Investigator [Doc. 158], *Pro Se* Motion to Require the Government to Reveal Any Agreements With or Concessions to Witnesses That May Influence Their Testimony [Doc. 160], *Pro Se* Motion for Disclosure of All Statements Which the Government Will Seek to Attribute to the Defendant [Doc. 161], *Pro Se* Motion for Disclosure of Any Rule 404(b) Evidence the Government Intends to Introduce at Trial [Doc. 162], and *Pro Se* Motion to Compel the Disclosure of the Existence and Substance of Promises of Immunity, Leniency, or Preferred Treatment and Supporting Authority [Doc. 163] are untimely and are not well-taken, and therefore, they are **DENIED**.

A report and recommendation addressing the Defendant's evidentiary and dispositive motions will follow this Memorandum and Order.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge